

### **REMARKS**

Claims 28 and 30-38 have been rejected under 35 USC 103(a) as unpatentable over Wang in view of Sjolund. The rejection is respectfully traversed.

The Examiner, in Response to Arguments in paragraph 1 of the Office Action, has withdrawn the prior rejection of record and adds a newly cited reference Sjolund. The Examiner also responds to Applicant's remarks regarding the "First Signaling Information Limitation." Here, the Examiner comments that the term "telecommunications" encompasses any networking protocol, not just telephony.

The Examiner also notes that Wang discloses the claimed invention except for "telephony telecommunications is a protocol for circuit-switched telecommunications." Sjolund, however, is cited for disclosing this feature. Applicants respectfully disagree.

#### **1. A Data Processing Device and Signaling Protocol**

In the Office Action, the Examiner refers to Wang at col. 4, lines 31-36. This section of Wang discloses communications destined for the router according to a packet based network application protocol. However, the claimed invention (as amended) requires a "first standard signaling protocol for packet switched telecommunications...wherein signaling in accordance with the first standard signaling protocol for packet-switched telecommunications is determined for conventional telecommunications and voice connections." Here, the telecommunications network has been clarified as a signal protocol for a packet-switched network for conventional telecommunications and voice connections.

The "packet based network application protocol" of Wang, on the other hand, specifies that it is not used for telephony which naturally would need telecommunication signaling for voice connections, and by this a telecommunication signaling protocol. For example, see Wang at col. 10, lines 2-7, stating that packets can be formatted according to the Ethernet Telephone Management Protocol (EMP) on the one hand or according to IP on the other hand. And the IP packets are the network application protocol packets that are forwarded to the appropriate network application, which can be e. g. hypertext transfer for WWW access (cf. Wang, col. 10, lines 8-13). Consequently, according to Wang a "packet based network application protocol" is not used for telephone signaling. This is done by a different protocol for telephony, the EMP as disclosed by Wang. Fig 3c also shows the coupling of the PDA and the Ethernet telephone.

However, such coupling is claimed in the instant invention. Rather, Fig 3c illustrates that Wang clearly distinguishes between Internet Applications (using IP) and Phone applications using a specific telecommunication signaling protocol (EMP). Therefore the Examiner's mapping of the "signaling protocol for packet switched telecommunications" of the claimed invention to Wang's "packet based network application protocol", which is not used for telephony but for Internet access, is improper.

## 2. Second Signaling Information for Circuit-Switched Telecommunications

The Examiner states that these claimed limitations are not disclosed by Wang, but that Sjolund discloses these features. As noted above, Applicants respectfully disagree.

Sjolund discloses a hybrid arrangement allowing an existing circuit switched telephony network to be deployed on a packet switched network. That is, Sjolund replaces the circuit switched underlying transport network with that of an IP based packet switched network, while the circuit-switched infrastructure, such as terminals, telephone exchanges and the like are retained. Signaling between the subscriber and exchange are effected using standard user to network protocol, such as V5.x for PSTN and ISDN BRI or DSS1 for ISDN PRI. This standard user network is overlaid on an IP based network protocol, such as TCP or UDP on IP. (See, Abstract).

Sjolund does not, however, disclose any IP based terminal device coupled to a packet-switched communication network. The terminals of Sjolund, on the other hand, are conventional circuit switched telephones and private branch exchanges, which are connected to an access node 11 via two wire, 2B+D or 30B+D channels. A signaling function 12 is contained in the access node 12 which performs the task of a conventional V5.x access node. The PCM to IP converter 13/14 is coupled to the signaling function 12 or to a PRI (30B+D) and packs 64 kbit/s channels to IP packets and routes them via the IP network 30. With respect to the signaling the converter is able to send and receive LAPD and LAPV5 packets as UDP/IP packets.

Sjolund does not disclose that the converter 13/14 configures signaling information according to a standard signaling protocol for circuit-switched telecommunications that is processed under a protocol stack. Rather, with respect to the signaling, the converter 13/14 is only able to send and receive LAPD and LAPV5 packets as UDP/IP packets. It is able to

recognize the frame format, but the assigned protocol stacks are processed in the signaling function 11 of the access node, in the PABX and the telephony server 40.

Additionally, the Examiner states that using Sjolund in combination with Wang ensures that existing services supported by the standard protocols will be supported in the packet switched network. However, this statement has to be understood within the context of Sjolund. Sjolund connects conventional PSTN/ISDN terminals and Private Branch Exchanges PABX and wants to ensure that these equipment have the same service offering known from circuit switched telephony. This, despite the fact, that the transport layer is changed to an IP based network. Sjolund does not deal with an IP based terminal device that offers the same features as known from conventional telecommunication networks. Therefore, any combination would render the device inoperable, and one having ordinary skill in the art would not have been motivated to combine the references.

In light of the above, Applicant submits that the present claims are allowable. Applicant also requests that a timely Notice of Allowance be issued in this case. Should there be any additional charges regarding this application, the Examiner is hereby authorized to charge Deposit Account 02-1818 for any insufficiency of payment.

Respectfully submitted,

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